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TO: EXAMINER J. WILLIAMS
 PATENT AND TRADEMARK OFFICE

FROM: FRANK A. DELUCIA

RE: Statement of the Substance of Interview
 U.S. Patent Appln. No. 10/774,582
 Our File No. 03500.016604.1

FAX NO.: 703- 872-9306

DATE: March 18, 2005

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03500.016604.1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 18 2005

In re Application of:)
SHUJI AOKI ET AL.)
Application No.: 10/774,582)
Filed: February 10, 2004)
For: METHOD AND APPARATUS FOR)
ADJUSTING CHARACTERISTICS)
OF ELECTRON SOURCE, AND)
METHOD FOR MANUFACTURING)
ELECTRON SOURCE) March 18, 2005

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF THE SUBSTANCE OF INTERVIEW

Sir:

During a telephone conversation between the Examiner and the undersigned attorney on March 2, 2005, the attorney informed the Examiner about the existence of U.S.

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9306) on March 18, 2005.

(Date of Transmission)

FRANK A. DeLUCIA

(Name of Attorney for Applicant)

March 18, 2005

Signature

Date of Signature

Application No. 10/648,490, its claims, and the fact that claims of that Application were rejected in Office Actions dated August 31, 2004 and January 26, 2005 as being unpatentable under the doctrine of obviousness-type double patenting over claims 1 and 4 of U.S. Patent No. 6,661,179.¹ The Examiner indicated that he would consider this information.²

Subsequently, in a telephone conversation between the Examiner and the undersigned attorney on March 18, 2005, the Examiner informed the attorney that, after considering the foregoing information, in his judgement he would not have made the above-mentioned double patenting rejections, and no similar double patenting rejection would be made or justified in the present application.

The Examiner is thanked for the courtesies which he extended to the undersigned attorney during the interviews.

It is respectfully requested that this Statement Of The Substance Of Interview be made of record in the official U.S. Patent and Trademark Office file of the present application.

1/ U.S. Patent No. 6,661,179 was cited in an Information Disclosure Statement filed on February 10, 2004 in the present application.

2/ Indeed, during the conversation, the Examiner indicated that he was viewing at least one of the Office Actions apparently via an electronic database.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

Frank A. DeLucia
Attorney for Applicants
Registration No. 42,476

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